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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,952	04/24/2006	Toru Kawaguchi	P29804	6004
52123 7590 05/28/2010 GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191				
EXAMINER PEARSON, DAVID J				
ART UNIT 2437		PAPER NUMBER		
NOTIFICATION DATE 05/28/2010		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com  
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# Office Action Summary

**Application No.**

10/576,952

**Applicant(s)**

KAWAGUCHI ET AL.

**Examiner**

DAVID J. PEARSON

**Art Unit**

2437

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 April 2010.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 27-30 and 35-39 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 27-30 and 35-39 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/GS/US)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

1. Claims 28-30 and 36-39 have been amended. Claims 31-32 have been canceled. Claims 27-30 and 35-39 have been examined.

***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/12/2010 has been entered.

***Response to Arguments***

3. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.
4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***Claim Rejections - 35 USC § 103***

5. Claims 27-30 and 35-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nonaka et al. (U.S. Patent Application Publication 2003/0046238;

hereafter "Nonaka"), and further in view of Kambayashi et al. (U.S. Patent 6,208,801; hereafter Kambayashi).

For claims 38 and 39, Nonaka teaches a content playback control method and terminal comprising:

storing in a memory, information **describing** a content key, a usage condition (note paragraphs [0457]-[0463]);

decoding encrypted content using the content key, only when the usage condition is met (note paragraphs [0515]);

Nonaka differs from the claimed invention in that they fail to teach:

special **sections** subject to a restriction of a special playback of content, **and at least one playback mode permitted in each of the special sections**;

determining, when an instruction to perform the special playback is received, whether the special **sections include** a point at which the special playback is performed according to the information **stored in the memory**; and

determining, when the special **sections include** the point at which the **instructed** special playback is performed, **possibility or impossibility of performing the instructed special playback for the decoded content based on whether the at least one playback mode in the information stored in the memory includes a playback mode of the instructed special playback.**

Kambayashi teaches:

special **sections** subject to a restriction of a special playback of content, (note column 9, lines 50-65) **and at least one playback mode permitted in each of the special sections** (note column 10, lines 41-46);

determining, when an instruction to perform the special playback is received, whether the special **sections include** a point at which the special playback is performed according to the information **stored in the memory** (note column 11, lines 25-36); and

determining, when the special **sections include** the point at which the **instructed** special playback is performed, **possibility or impossibility of performing the instructed** special playback for the decoded content **based on whether the at least one playback mode in the information stored in the memory includes a playback mode of the instructed special playback** (note column 11, lines 36-51).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the content encryption of Nonaka and the section playback control of Kambayashi. One of ordinary skill would have been motivated to combine Nonaka and Kambayashi because it would reduce the cost of content systems if commercial information were included with content and a user would be prevented from skipping it (note column 1, lines 30-50 of Kambayashi).

For claims 27 and 35, the combination of Nonaka and Kambayashi teaches claims 38 and 39, wherein the special playback comprises at least one of forward, rewind, skip and jump (note column 11, lines 25-36 of Kambayashi).

For claims 28 and 36, the combination of Nonaka and Kambayashi teaches claims 38 and 39, wherein the restriction of the special playback is described by a **possibility or impossibility** code (note column 11, lines 36-51 of Kambayashi).

For claims 29 and 37, the combination of Nonaka and Kambayashi teaches claims 38 and 39, wherein **each of** the special **sections** is described on a per-segment basis (note column 10, lines 41-46 of Kambayashi).

For claim 30, the combination of Nonaka and Kambayashi teaches claim 38, wherein the **information stored in the memory includes** license information **that** manages the content key and the usage condition as a pair (note paragraph [0236] of Nonaka).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Blackketter et al. (U.S. Patent 7,197,758) teaches a broadcast source may designate segments of a program as "must watch" which prevents the viewer from skipping for fast-forwarding (note column 8, lines 10-35).

Schaefer et al. (U.S. Patent Application Publication 2003/0123851) teaches a broadcast facility can mark segments of video as immune to the fast forward function (note Abstract).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID J. PEARSON whose telephone number is (571)272-0711. The examiner can normally be reached on Monday - Friday, 7:30am - 5:00pm; off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2437

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David J Pearson/  
Examiner, Art Unit 2437